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| FILED<br>CLERK, U.S. DISTRICT COURT |
| 05/31/2016                          |
| CENTRAL DISTRICT OF CALIFORNIA      |
| BY: <u>JS</u> DEPUTY                |

Douglas Kruschen  
P.O. Box 465  
Agoura Hills, CA 91376-0465  
(805) 225-3328  
(Plaintiff Pro Se)

2016 APR 29 AM 11:44

CLERK, U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY: [Signature]

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

LACV1602948 DMG(AJWx)  
Case No.:

DOUGLAS KRUSCHEN, an  
individual,

*Plaintiff*

v.

FIRST ADVANTAGE  
CORPORATION, a Delaware  
corporation, FIRST ADVANTAGE  
BACKGROUND SERVICES  
CORP, a Florida corporation,  
SOURCE SUPPORT SERVICES,  
INC., a Georgia corporation,

*Defendants*

VERIFIED COMPLAINT AND  
DEMAND FOR JURY TRIAL

Judge:

Dept.:

Trial Date:

|  |
|--|
| RECEIVED<br>CLERK, U.S. DISTRICT COURT |
| APR 27 2016                            |
| CENTRAL DISTRICT OF CALIFORNIA         |
| BY: _____ DEPUTY                       |

COMES NOW Plaintiff DOUGLAS KRUSCHEN, an individual, and  
for causes of action against Defendant, alleges as follows:

**INTRODUCTION**

- Count I of Plaintiff's Complaint is based on the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq. (FCRA).

- 1           2.     Count II of Plaintiff's Complaint is based on the Consumer
- 2                 Credit Reporting Agencies Act, *California Civil Code* § 1785
- 3                 *et seq.* (CCRAA)
- 4           3.     Count III of Plaintiff's Complaint is based on the Investigative
- 5                 Consumer Reporting Agencies Act, *California Civil Code* §
- 6                 1786 *et seq.* (ICRAA).

### **JURISDICTION AND VENUE**

- 8           4.     Jurisdiction of this court arises pursuant to 15 U.S.C. § 1681
- 9                 *et seq.*, and 28 U.S.C. § 1331.
- 10          5.     28 U.S.C. § 1367 grants this court supplemental jurisdiction
- 11                 over the state claims contained therein.
- 12          6.     Defendants conduct business in the state of California, and
- 13                 therefore, personal jurisdiction is established.
- 14          7.     Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).
- 15          8.     Declaratory relief is available pursuant to 28 U.S.C. §§ 2201
- 16                 and 2202.

### **PARTIES**

- 18           9.     Plaintiff is a citizen of the state of California, residing within
- 19                 the federal Central District.
- 20          10.    Plaintiff is a "person" as defined by 47 U.S.C. §§ 153(39)
- 21                 and 1681a(b).
- 22          11.    Plaintiff is a "consumer" as defined by 15 U.S.C. §§ 1681a(c)
- 23                 and 1692(a)(3).
- 24          12.    Defendants engage in "interstate communications" as
- 25                 defined by 47 U.S.C. § 153(28).
- 26          13.    Defendants, at all times relevant to this complaint, were
- 27                 engaged in commercial transactions throughout this county,
- 28

1 the State of California and the various states of the United  
2 States of America.

3 14. Defendant FIRST ADVANTAGE CORPORATION is a  
4 Delaware corporation with its principal office located in  
5 Atlanta, Georgia.

6 15. Defendant FIRST ADVANTAGE BACKGROUND  
7 SERVICES CORP is a Florida corporation with its principal  
8 office located in Atlanta, Georgia.

9 16. Defendant SOURCE SUPPORT SERVICES, INC. is a  
10 Georgia corporation with its principal office located in  
11 Lawrenceville, Georgia.

12 17. At all relevant times, Defendants acted through their agents,  
13 employees, officers, members, directors, heirs, successors,  
14 assigns, principals, trustees, sureties, subrogees,  
15 representatives, and/or insurers.

16 **FACTUAL ALLEGATIONS**

17  
18 18. On or about November 30, 2015, Defendant SOURCE  
19 SUPPORT SERVICES, INC. contracted with Defendant  
20 FIRST ADVANTAGE CORPORATION and/or Defendant  
21 FIRST ADVANTAGE BACKGROUND SERVICES CORP to  
22 perform a background and credit check on Plaintiff.

23 19. On November 30, 2015, Defendant FIRST ADVANTAGE  
24 CORPORATION and/or Defendant FIRST ADVANTAGE  
25 BACKGROUND SERVICES CORP ordered and received a  
26 copy of Plaintiff's credit history from credit reporting agency,  
27 Experian Information Systems, Inc.  
28

- 1           20. On or about February 10, 2016, Plaintiff obtained a copy of
- 2           his consumer credit report "file" from credit reporting agency,
- 3           Experian Information Systems, Inc. which identified that
- 4           Defendants had received his credit history.
- 5           21. On or about March 7, 2016, Plaintiff contacted Defendant
- 6           FIRST ADVANTAGE CORPORATION and/or Defendant
- 7           FIRST ADVANTAGE BACKGROUND SERVICES CORP to
- 8           request information about the purpose of their access and to
- 9           notify them of lack of consent.
- 10          22. On or about March 24, 2016, Defendant FIRST
- 11          ADVANTAGE CORPORATION and/or Defendant FIRST
- 12          ADVANTAGE BACKGROUND SERVICES CORP
- 13          responded to Plaintiff denying receipt of Plaintiff's credit
- 14          history.

# COUNT I

## **DEFENDANT VIOLATED THE FAIR CREDIT REPORTING ACT** **(FCRA), 15 U.S.C. § 1681 et seq.**

- 15           23. Section 1681b(b)(2)(A) of the FCRA provides, in relevant
- 16           part:

- 17           (b) Conditions for furnishing and using **consumer reports**
- 18           **for employment purposes.**

- 19           (2) Disclosure to consumer

- 20           (A) In general

- 21           Except as provided in subparagraph (B), a person may
- 22           not procure a consumer report, or cause a consumer

1 report to be procured, for employment purposes with  
 2 respect to any consumer, unless—

- 3 (i) a **clear and conspicuous** disclosure has  
 4 been made in writing to the consumer at any time  
 5 before the report is procured or caused to be  
 6 procured, **in a document that consists solely**  
 7 **of the disclosure**, that a consumer report may  
 8 be obtained for employment purposes; and  
 9 (ii) the consumer has authorized in writing (which  
 10 authorization may be made on the document  
 11 referred to in clause (i)) the procurement of the  
 12 report by that person. (Emphasis Added.)

13 24. Section 1681d(a) provides, in relevant part:

14 (a) Disclosure of fact of preparation

- 15 (1) A person may not procure or cause to be prepared  
 16 an **investigative consumer report** on any  
 17 consumer unless—

18 (1) it is **clearly and accurately disclosed** to the  
 19 consumer that an investigative consumer report  
 20 including information as to his character, general  
 21 reputation, personal characteristics, and mode of  
 22 living, whichever are applicable, may be made,  
 23 and such disclosure

24 (A) is made in a writing mailed, or  
 25 otherwise delivered, to the consumer, not  
 26 later than three days after the date on  
 27 which the report was first requested, and  
 28

(B) includes a statement informing the consumer of his right to request the additional disclosures provided for under subsection (b) of this section and the written summary of the rights of the consumer prepared pursuant to section 1681g(c) of this title; (Emphasis Added.)

25. Defendants violated Section 1681b(b)(2)(A) of the FCRA by failing to provide Plaintiff with a clear and conspicuous written disclosure, before a consumer report was procured or caused to be procured, that a consumer report may be obtained for employment purposes, in a document that consists solely of the disclosure.
26. Based upon the facts likely to have evidentiary support after a reasonable opportunity for further investigation and discovery, Defendants have a policy and practice of failing to provide adequate written disclosures before procuring consumer reports or causing consumer reports to be procured. Pursuant to that policy and practice, Defendants procured a consumer report or caused a consumer report to be procured without first providing a written disclosure to Plaintiff in compliance with Section 1681b(b)(2)(A) of the FCRA.
27. Defendants' conduct in violation of Section 1681b(b)(2)(A) of the FCRA was willful. Defendants acted in deliberate or reckless disregard of their obligations and the rights of

1 Plaintiff. Defendants' willful conduct is reflected by, among  
2 other things, the following facts:

3 (a) Defendants are large companies with access to  
4 legal advice through inside and outside counsel;

5 (b) Defendants made reference to background checks  
6 in their correspondence with Plaintiff, which although  
7 defective, evidences Defendants' awareness of and  
8 willful failure to follow the governing laws concerning  
9 such authorizations.

10 28. Defendants violated section 1681d(a)(1) of the FCRA by  
11 failing to "clearly and accurately" disclose that an  
12 investigative consumer report may be made; failing to  
13 include a statement informing Plaintiff that an investigative  
14 consumer report involves personal interviews with sources  
15 such as neighbors, friends, or associates; failing to inform  
16 them of their right to request the additional disclosures  
17 provided for under 1681d(b); and failing to provide a written  
18 summary of Plaintiff's rights under 1681g(c) as part of the  
19 disclosure.  
20

21 29. On information and belief and based upon the facts likely to  
22 have evidentiary support after a reasonable opportunity for  
23 further investigation and discovery, Defendants have policies  
24 and practices of procuring investigative consumer reports or  
25 causing investigative consumer reports to be procured  
26 without providing a written summary of rights under the  
27 FCRA at the same time as the disclosure explaining that an  
28 investigative consumer report may be made. Pursuant to



1 that policy and practice, Defendants procured investigative  
 2 consumer reports or caused investigative consumer reports  
 3 to be procured regarding Plaintiff without providing a timely  
 4 written summary of his rights under the FCRA.

5 30. Accordingly, Defendants willfully violated and continue to  
 6 violate the FCRA including, but not limited to, Sections  
 7 1681b(b)(2)(A) and 1681d(a). Defendants' willful conduct is  
 8 reflected by, among other things, the facts set forth above.

9 31. As a result of Defendants' illegal procurement of background  
 10 reports by way of their inadequate disclosures, as set forth  
 11 above, Plaintiff has been injured including, but not limited to,  
 12 having his privacy and statutory rights invaded in violation of  
 13 the FCRA.  
 14

## 15 **COUNT II**

### 16 **CONSUMER CREDIT REPORTING AGENCIES ACT (CCRAA), Cal.** 17 **Civ. Code § 1785 et seq.**

18 32. Plaintiff repeats, re-alleges and incorporates by reference  
 19 each of the foregoing paragraphs, and each and every part  
 20 thereof with the same force and effect as though set out at  
 21 length herein.

22 33. Section 1785.3(c) of the CCRAA defines "consumer credit  
 23 report" as "any written, oral, or other communication of any  
 24 information by a consumer credit reporting agency bearing  
 25 on a consumer's credit worthiness, credit standing, or credit  
 26 capacity, which is used or is expected to be used, or  
 27 collected in whole or in part, for the purpose of serving as a  
 28 factor in establishing the consumer's eligibility for: (1) credit



1 to be used primarily for personal, family, or household  
2 purposes, or (2) employment purposes, or (3) hiring of a  
3 dwelling unit, as defined in subdivision (c) of Section 1940,  
4 or (4) other purposes authorized in Section 1785.11.”

5 34. Section 1785.3(c) of the CCRAA defines “consumer credit  
6 reporting agency” as “any person who, for monetary fees,  
7 dues, or on a cooperative nonprofit basis, regularly engages  
8 in whole or in part in the business of assembling or  
9 evaluating consumer credit information or other information  
10 on consumers for the purpose of furnishing consumer credit  
11 reports to third parties, but does not include any  
12 governmental agency whose records are maintained  
13 primarily for traffic safety, law enforcement, or licensing  
14 purposes.”

15 35. Section 1785.20.5 provides, in relevant part:

16 “Prior to requesting a consumer credit report for  
17 employment purposes, the user of the report shall  
18 provide written notice to the person involved. The  
19 notice shall inform the person that a report will be  
20 used, and shall identify the specific basis under  
21 subdivision (a) of Section 1024.5 of the Labor Code for  
22 use of the report. The notice shall also inform the  
23 person of the source of the report, and shall contain a  
24 box that the person may check off to receive a copy of  
25 the credit report. If the consumer indicates that he or  
26 she wishes to receive a copy of the report, the user  
27 shall request that a copy be provided to the person  
28

1 when the user requests its copy from the credit  
2 reporting agency. The report to the user and to the  
3 subject person shall be provided contemporaneously  
4 and at no charge to the subject person.”

5 36. Defendants violated Section 1785.20.5(a) of the CCRAA by  
6 failing to provide written notice to Plaintiff inform him that a  
7 report will be used, failing to identify the specific basis under  
8 subdivision (a) of Section 1024.5 of the Labor Code for use  
9 of the report, failing to inform Plaintiff of the source of the  
10 report, and failing to provide Plaintiff notice containing a box  
11 that he may check off to receive a copy of the credit report  
12 contemporaneously and at no charge to him.

13 37. Based upon the facts likely to have evidentiary support after  
14 a reasonable opportunity for further investigation and  
15 discovery, Defendants have a policy and practice of failing to  
16 provide adequate written disclosures before procuring  
17 consumer credit reports or causing consumer credit reports  
18 to be procured. Pursuant to that policy and practice,  
19 Defendants procured a consumer credit report or caused a  
20 consumer credit report to be procured without first providing  
21 a written disclosure to Plaintiff in compliance with Section  
22 1785.20.5(a) of the CCRAA.

23  
24 38. Defendants’ conduct in violation of Section 1785.20.5(a) of  
25 the CCRAA was negligent and willful. Defendants acted in  
26 deliberate or reckless disregard of their obligations and the  
27 rights of Plaintiff. Defendants’ negligent and willful conduct is  
28 reflected by, among other things, the following facts:

1 (a) Defendants are large companies with access to  
2 legal advice through inside and outside counsel;

3 (b) Defendants FIRST ADVANTAGE CORPORATION  
4 and FIRST ADVANTAGE BACKGROUND SERVICES  
5 CORP claim to be "the world leader in background  
6 screening and verification" evidences Defendants'  
7 awareness of and willful failure to follow the governing  
8 laws concerning such businesses.

9  
10 39. As a result of Defendants' illegal procurement of consumer  
11 credit reports reports by way of their inadequate disclosures,  
12 as set forth above, Plaintiff has been injured including, but  
13 not limited to, having his privacy and statutory rights invaded  
14 in violation of the CCRAA.

15 **COUNT III**

16 **DEFENDANTS VIOLATED THE INVESTIGATIVE CONSUMER**  
17 **REPORTING AGENCIES ACT (ICRAA), Cal. Civ. Code § 1786 et seq.**

18 40. Plaintiff repeats, re-alleges and incorporates by reference  
19 each of the foregoing paragraphs, and each and every part  
20 thereof with the same force and effect as though set out at  
21 length herein.

22 41. Section 1786.2(c) of the ICRAA defines "investigative  
23 consumer report" as "a consumer report in which information  
24 on a consumer's character, general reputation, personal  
25 characteristics, or mode of living is obtained through any  
26 means."

27 42. Section 1786.2(d) of the ICRAA defines "investigative  
28 consumer reporting agency" as "any person who, for

1 monetary fees or dues, engages in whole or in part in the  
2 practice of collecting, assembling, evaluating, compiling,  
3 reporting, transmitting, transferring, or communicating  
4 information concerning consumers for the purposes of  
5 furnishing investigative consumer reports to third parties, but  
6 does not include any governmental agency whose records  
7 are maintained primarily for traffic safety, law enforcement,  
8 or licensing purposes, or any licensed insurance agent,  
9 insurance broker, or solicitor, insurer, or life insurance  
10 agent.”

11 43. Section 1786.16(b)(1) provides, in relevant part:

12 (b) Any person described in subdivision (d) of Section  
13 1786.12 who requests an investigative consumer  
14 report, in accordance with subdivision (a) regarding  
15 that consumer, shall do the following:

16 (1) Provide the consumer a means by which the  
17 consumer may indicate on a written form, by  
18 means of a box to check, that the consumer  
19 wishes to receive a copy of any report that is  
20 prepared. **If the consumer wishes to receive a**  
21 **copy of the report, the recipient of the report**  
22 **shall send a copy of the report to the**  
23 **consumer within three business days of the**  
24 **date that the report is provided to the**  
25 **recipient, who may contract with any other**  
26 **entity to send a copy to the consumer. The**  
27 **notice to request the report may be contained on**  
28

1 either the disclosure form, as required by  
 2 subdivision (a), or a separate consent form. The  
 3 copy of the report shall contain the name,  
 4 address, and telephone number of the person  
 5 who issued the report and how to contact them.  
 6 (Emphasis Added.)

7 44. Defendants violated Section 1786.16(b)(1) by failing to  
 8 provide to Plaintiff the opportunity to receive a copy of his  
 9 investigative consumer report when requested within three  
 10 business days of the date that the report was provided to  
 11 Defendant.

12 45. As a result of Defendants' willful or grossly negligent failure  
 13 to provide the required form and/or report(s) as set forth  
 14 above, Plaintiff has been injured by, among other things,  
 15 having his privacy and statutory rights invaded in violation of  
 16 the ICRAA.

### 17 **PRAYER FOR RELIEF**

18 WHEREFORE, Plaintiff, DOUGLAS KRUSCHEN, requests  
 19 judgment be entered against Defendants, FIRST ADVANTAGE  
 20 CORPORATION, FIRST ADVANTAGE BACKGROUND SERVICES  
 21 CORP, and SOURCE SUPPORT SERVICES, INC. for the following:

#### 22 **Count I:**

23 46. Declaratory judgment that Defendants' conduct violated the  
 24 Fair Credit Reporting Act,  
 25

26 47. Statutory and/or actual damages pursuant to the Fair Credit  
 27 Reporting Act, 15 U.S.C. § 1681n,  
 28

- 1 48. Punitive damages pursuant to the Fair Credit Reporting Act,
- 2 15 U.S.C. § 1681n,
- 3 49. Costs and reasonable attorney's fees pursuant to the Fair
- 4 Credit Reporting Act, 15 U.S.C. § 1681n, and
- 5 50. Any other relief as the court deems appropriate.
- 6 51. In the alternative to Plaintiff's allegation that these violations
- 7 were willful, Plaintiff alleges that the violations were
- 8 negligent and seeks the appropriate remedy, if any, under 15
- 9 U.S.C. § 1681o.

10 **Count II:**

- 11 52. Declaratory judgment that Defendants' conduct violated the
- 12 Consumer Credit Reporting Agencies Act,
- 13 53. Actual damages pursuant to the Consumer Credit Reporting
- 14 Agencies Act, *Cal. Civ. Code § 1785.31(a)(1)*,
- 15 54. Punitive damages pursuant to the Consumer Credit
- 16 Reporting Agencies Act, *Cal. Civ. Code § 1785.31(a)(2)(B)*,
- 17 55. Injunctive and equitable relief pursuant to the Consumer
- 18 Credit Reporting Agencies Act, *Cal. Civ. Code § 1785.31(b)*,
- 19 56. Costs and reasonable attorney's fees pursuant to the
- 20 Consumer Credit Reporting Agencies Act, *Cal. Civ. Code §*
- 21 *1785.31(d)*, and
- 22 57. Any other relief as the court deems appropriate.

23 **Count II:**

- 24 58. Declaratory judgment that Defendants' conduct violated the
- 25 Investigative Consumer Reporting Agencies Act,
- 26 59. Actual damages pursuant to the Investigative Consumer
- 27 Reporting Agencies Act, *Cal. Civ. Code § 1786.50*,
- 28

- 1           60. Punitive damages pursuant to the Investigative Consumer  
2           Reporting Agencies Act, *Cal. Civ. Code* § 1786.50,  
3           61. Injunctive and equitable relief pursuant to the Investigative  
4           Consumer Reporting Agencies Act, *Cal. Civ. Code* §  
5           1786.50,  
6           62. Costs and reasonable attorney's fees pursuant to the  
7           Investigative Consumer Reporting Agencies Act, *Cal. Civ.*  
8           *Code* § 1786.50, and  
9           63. Any other relief as the court deems appropriate.

10                           **DEMAND FOR JURY TRIAL**

11           PLEASE TAKE NOTICE that Plaintiff, DOUGLAS KRUSCHEN,  
12           demands a jury trial in this case.

13           Dated: April 22, 2016

14                           RESPECTFULLY SUBMITTED,

15                             
16                           \_\_\_\_\_  
17                           By: Douglas Kruschen  
18                           (Plaintiff Pro Se)



**VERIFICATION OF COMPLAINT AND CERTIFICATION**

STATE OF CALIFORNIA

Plaintiff, DOUGLAS KRUSCHEN, states as follows:

1. I am the Plaintiff in this civil proceeding.
2. I believe that all of the facts contained in the above entitled civil Complaint are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass and Defendant, cause unnecessary delay to and Defendant, or create needless increase in the cost of litigation to any Defendant, named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by me where appropriate, I have not altered, changed, modified or fabricated exhibits, except some may contain my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, DOUGLAS KRUSCHEN, hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: April 22, 2016

  
By: DOUGLAS KRUSCHEN  
(Plaintiff)



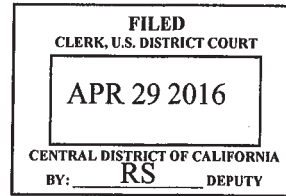
KIRY K. GRAY  
Clerk of Court

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION  
312 North Spring Street, Room G-8  
Los Angeles, CA 90012  
Tel: (213) 894-7984

SOUTHERN DIVISION  
411 West Fourth Street, Suite 1053  
Santa Ana, CA 92701-4516  
(714) 338-4750

EASTERN DIVISION  
3470 Twelfth Street, Room 134  
Riverside, CA 92501  
(951) 328-4450



Dear Sir or Madam,

Your complaint has been lodged and assigned a civil case number 2:16-CV-02948-UA.

Upon the submission of your complaint, the following discrepancy was found:

☒ ***You have submitted a personal check.***

Please be advised that personal checks are not accepted. Your check will be returned to you by our Fiscal Department. Please send a cashier's check or money order to one of the appropriate addresses listed at the top of the page. Be sure to reference the civil case number on your payment.

☐ ***You have not submitted the entire filing fee amount of \$400.***

If you are unable to pay the entire filing fee at this time, you must sign and complete the enclosed form, *Declaration in Support of Request to Proceed in Forma Pauperis* (CV-60), in its entirety.

If you do not respond within THIRTY DAYS from the date below, your action will be dismissed.

If your fee waiver application or payment is received within THIRTY DAYS, judges will be assigned to your case.

Sincerely,

Clerk, U. S. District Court

April 29, 2016

Date

By: R. Smith

Deputy Clerk

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**I. (a) PLAINTIFFS** ( Check box if you are representing yourself ☒ )

DOUGLAS KRUSCHEN

**DEFENDANTS** ( Check box if you are representing yourself ☐ )

FIRST ADVANTAGE CORPORATION, FIRST ADVANTAGE BACKGROUND SERVICES CORP, SOURCE SUPPORT SERVICES INC.

(b) County of Residence of First Listed Plaintiff LOS ANGELES  
(EXCEPT IN U.S. PLAINTIFF CASES)County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.  
P.O. BOX 465  
AGOURA HILLS, CA 91376  
(805) 225-3328

Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

**II. BASIS OF JURISDICTION** (Place an X in one box only.)

- ☐ 1. U.S. Government Plaintiff ☒ 3. Federal Question (U.S. Government Not a Party)
- ☐ 2. U.S. Government Defendant ☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**-For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant)

- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
|   | <b>PTF</b>                 | <b>DEF</b>                 |   | <b>PTF</b>                 | <b>DEF</b>                 |
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. ORIGIN** (Place an X in one box only.)

- ☒ 1. Original Proceeding ☐ 2. Removed from State Court ☐ 3. Remanded from Appellate Court ☐ 4. Reinstated or Reopened ☐ 5. Transferred from Another District (Specify) ☐ 6. Multi-District Litigation

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)**CLASS ACTION under F.R.Cv.P. 23:** ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ \_\_\_\_\_**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
15 U.S.C. SECTION 1681 ET SEQ. (FAIR CREDIT REPORTING ACT)**VII. NATURE OF SUIT** (Place an X in one box only.)

| OTHER STATUTES   | CONTRACT   | REAL PROPERTY CONT.   | IMMIGRATION  | PRISONER PETITIONS   | PROPERTY RIGHTS  |
|--|--|---|--|--|--|
| <input type="checkbox"/> 375 False Claims Act  | <input type="checkbox"/> 110 Insurance   | <input type="checkbox"/> 240 Torts to Land  | <input type="checkbox"/> 462 Naturalization Application            | <b>Habeas Corpus:</b>  | <input type="checkbox"/> 820 Copyrights                          |
| <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))                                  | <input type="checkbox"/> 120 Marine  | <input type="checkbox"/> 245 Tort Product Liability                                       | <input type="checkbox"/> 465 Other Immigration Actions             | <input type="checkbox"/> 463 Alien Detainee                              | <input type="checkbox"/> 830 Patent                              |
| <input type="checkbox"/> 400 State Reapportionment                                     | <input type="checkbox"/> 130 Miller Act  | <input type="checkbox"/> 290 All Other Real Property                                      | <b>TORTS</b>   | <input type="checkbox"/> 510 Motions to Vacate Sentence                  | <input type="checkbox"/> 840 Trademark                           |
| <input type="checkbox"/> 410 Antitrust   | <input type="checkbox"/> 140 Negotiable Instrument                             | <b>TORTS</b>  | <b>PERSONAL PROPERTY</b>   | <input type="checkbox"/> 530 General                                     | <b>SOCIAL SECURITY</b>   |
| <input type="checkbox"/> 430 Banks and Banking   | <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment | <b>PERSONAL INJURY</b>  | <input type="checkbox"/> 370 Other Fraud                           | <input type="checkbox"/> 535 Death Penalty                               | <input type="checkbox"/> 861 HIA (1395ff)                        |
| <input type="checkbox"/> 450 Commerce/ICC Rates/Etc.                                   | <input type="checkbox"/> 151 Medicare Act                                      | <input type="checkbox"/> 310 Airplane   | <input type="checkbox"/> 371 Truth in Lending                      | <b>Other:</b>  | <input type="checkbox"/> 862 Black Lung (923)                    |
| <input type="checkbox"/> 460 Deportation   | <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)   | <input type="checkbox"/> 315 Airplane Product Liability                                   | <input type="checkbox"/> 380 Other Personal Property Damage        | <input type="checkbox"/> 540 Mandamus/Other                              | <input type="checkbox"/> 863 DIWC/DIWW (405 (g))                 |
| <input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.                       | <input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits          | <input type="checkbox"/> 320 Assault, Libel & Slander                                     | <input type="checkbox"/> 385 Property Damage Product Liability     | <input type="checkbox"/> 550 Civil Rights                                | <input type="checkbox"/> 864 SSID Title XVI                      |
| <input checked="" type="checkbox"/> 480 Consumer Credit                                | <input type="checkbox"/> 155 Recovery of Overpayment of Suits                  | <input type="checkbox"/> 330 Fed. Employers' Liability                                    | <b>BANKRUPTCY</b>  | <input type="checkbox"/> 555 Prison Condition                            | <input type="checkbox"/> 865 RSI (405 (g))                       |
| <input type="checkbox"/> 490 Cable/Sat TV  | <input type="checkbox"/> 160 Stockholders' Suits                               | <input type="checkbox"/> 340 Marine   | <input type="checkbox"/> 422 Appeal 28 USC 158                     | <b>FORFEITURE/PENALTY</b>  | <b>FEDERAL TAX SUITS</b>   |
| <input type="checkbox"/> 850 Securities/Commodities/Exchange                           | <input type="checkbox"/> 190 Other Contract                                    | <input type="checkbox"/> 345 Marine Product Liability                                     | <input type="checkbox"/> 423 Withdrawal 28 USC 157                 | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 890 Other Statutory Actions                                   | <input type="checkbox"/> 195 Contract Product Liability                        | <input type="checkbox"/> 350 Motor Vehicle  | <b>CIVIL RIGHTS</b>  | <input type="checkbox"/> 690 Other                                       | <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609         |
| <input type="checkbox"/> 891 Agricultural Acts   | <input type="checkbox"/> 196 Franchise   | <input type="checkbox"/> 355 Motor Vehicle Product Liability                              | <input type="checkbox"/> 440 Other Civil Rights                    | <b>LABOR</b>   |  |
| <input type="checkbox"/> 893 Environmental Matters                                     | <b>REAL PROPERTY</b>   | <input type="checkbox"/> 360 Other Personal Injury  | <input type="checkbox"/> 441 Voting                                | <input type="checkbox"/> 710 Fair Labor Standards Act                    |  |
| <input type="checkbox"/> 895 Freedom of Info. Act                                      | <input type="checkbox"/> 210 Land Condemnation                                 | <input type="checkbox"/> 362 Personal Injury-Med Malpractice                              | <input type="checkbox"/> 442 Employment                            | <input type="checkbox"/> 720 Labor/Mgmt. Relations                       |  |
| <input type="checkbox"/> 896 Arbitration   | <input type="checkbox"/> 220 Foreclosure                                       | <input type="checkbox"/> 365 Personal Injury-Product Liability                            | <input type="checkbox"/> 443 Housing/Accommodations                | <input type="checkbox"/> 740 Railway Labor Act                           |  |
| <input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision | <input type="checkbox"/> 230 Rent Lease & Ejectment                            | <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability | <input type="checkbox"/> 445 American with Disabilities-Employment | <input type="checkbox"/> 751 Family and Medical Leave Act                |  |
| <input type="checkbox"/> 950 Constitutionality of State Statutes                       |  | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability                   | <input type="checkbox"/> 446 American with Disabilities-Other      | <input type="checkbox"/> 790 Other Labor Litigation                      |  |
|  |  | <input type="checkbox"/> 448 Education  | <input type="checkbox"/> 448 Education                             | <input type="checkbox"/> 791 Employee Ret. Inc. Security Act             |  |

FOR OFFICE USE ONLY:

Case Number:

CV-71 (02/16)

CIVIL COVER SHEET

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**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**VIII. VENUE:** Your answers to the questions below will determine the division of the Court to which this case will be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

|   |  |   |
|---|--|---|
| <b>QUESTION A: Was this case removed from state court?</b><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>If "no," skip to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question E, below, and continue from there.  | STATE CASE WAS PENDING IN THE COUNTY OF:<br><input type="checkbox"/> Los Angeles, Ventura, Santa Barbara, or San Luis Obispo<br><input type="checkbox"/> Orange<br><input type="checkbox"/> Riverside or San Bernardino  | INITIAL DIVISION IN CACD IS:<br>Western<br>Southern<br>Eastern  |
| <b>QUESTION B: Is the United States, or one of its agencies or employees, a PLAINTIFF in this action?</b><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>If "no," skip to Question C. If "yes," answer Question B.1, at right.   | <b>B.1.</b> Do 50% or more of the defendants who reside in the district reside in Orange Co?<br><i>check one of the boxes to the right</i> →<br><input type="checkbox"/> YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there.<br><input type="checkbox"/> NO. Continue to Question B.2.<br><b>B.2.</b> Do 50% or more of the defendants who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.)<br><i>check one of the boxes to the right</i> →<br><input type="checkbox"/> YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there.<br><input type="checkbox"/> NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there. |   |
| <b>QUESTION C: Is the United States, or one of its agencies or employees, a DEFENDANT in this action?</b><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>If "no," skip to Question D. If "yes," answer Question C.1, at right.   | <b>C.1.</b> Do 50% or more of the plaintiffs who reside in the district reside in Orange Co?<br><i>check one of the boxes to the right</i> →<br><input type="checkbox"/> YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there.<br><input type="checkbox"/> NO. Continue to Question C.2.<br><b>C.2.</b> Do 50% or more of the plaintiffs who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.)<br><i>check one of the boxes to the right</i> →<br><input type="checkbox"/> YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there.<br><input type="checkbox"/> NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there. |   |
| <b>QUESTION D: Location of plaintiffs and defendants?</b><br>Indicate the location(s) in which 50% or more of <i>plaintiffs who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)<br>Indicate the location(s) in which 50% or more of <i>defendants who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.) | <b>A.</b><br>Orange County<br><br><input type="checkbox"/><br><br><input type="checkbox"/>   | <b>B.</b><br>Riverside or San Bernardino County<br><br><input type="checkbox"/><br><br><input type="checkbox"/> |
|   | <b>C.</b><br>Los Angeles, Ventura, Santa Barbara, or San Luis Obispo County<br><br><input checked="" type="checkbox"/><br><br><input type="checkbox"/>   |   |
| <b>D.1. Is there at least one answer in Column A?</b><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>If "yes," your case will initially be assigned to the SOUTHERN DIVISION.<br>Enter "Southern" in response to Question E, below, and continue from there.<br>If "no," go to question D2 to the right. →   | <b>D.2. Is there at least one answer in Column B?</b><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>If "yes," your case will initially be assigned to the EASTERN DIVISION.<br>Enter "Eastern" in response to Question E, below.<br>If "no," your case will be assigned to the WESTERN DIVISION.<br>Enter "Western" in response to Question E, below. ↓  |   |
| <b>QUESTION E: Initial Division?</b><br>Enter the initial division determined by Question A, B, C, or D above: → WESTERN <input checked="" type="checkbox"/>  | INITIAL DIVISION IN CACD   |   |
| <b>QUESTION F: Northern Counties?</b><br>Do 50% or more of plaintiffs or defendants in this district reside in Ventura, Santa Barbara, or San Luis Obispo counties? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |  |   |



UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**IX(a). IDENTICAL CASES:** Has this action been previously filed in this court?☒ NO☐ YES

If yes, list case number(s): \_\_\_\_\_

**IX(b). RELATED CASES:** Is this case related (as defined below) to any civil or criminal case(s) previously filed in this court?☒ NO☐ YES

If yes, list case number(s): \_\_\_\_\_

**Civil cases** are related when they (check all that apply):

- ☐ A. Arise from the same or a closely related transaction, happening, or event;
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges.

Note: That cases may involve the same patent, trademark, or copyright is not, in itself, sufficient to deem cases related.

**A civil forfeiture case and a criminal case** are related when they (check all that apply):

- ☐ A. Arise from the same or a closely related transaction, happening, or event;
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. Involve one or more defendants from the criminal case in common and would entail substantial duplication of labor if heard by different judges.

**X. SIGNATURE OF ATTORNEY  
(OR SELF-REPRESENTED LITIGANT):** \_\_\_\_\_DATE: APRIL 21, 2016

**Notice to Counsel/Parties:** The submission of this Civil Cover Sheet is required by Local Rule 3-1. This Form CV-71 and the information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. For more detailed instructions, see separate instruction sheet (CV-071A).

Key to Statistical codes relating to Social Security Cases:

| Nature of Suit Code | Abbreviation | Substantive Statement of Cause of Action   |
|---------------------|--------------|--|
| 861                 | HIA          | All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b)) |
| 862                 | BL           | All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)  |
| 863                 | DIWC         | All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))  |
| 863                 | DIWW         | All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))   |
| 864                 | SSID         | All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.  |
| 865                 | RSI          | All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))   |